

REMARKS

Claims 6-9, 17-20, and 24 are all the claims pending in the present application, claims 1-5, 10-16, and 21-23 having been canceled as indicated herein. In summary, the Examiner maintains the previous rejections. Specifically, claims 1, 2, 4, 6, 7, 12, 13, 15, 17, 18, 20, 21, and 24 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hwang in view of Jokinen. Claims 3, 10, 14, and 23 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hwang and Jokinen in view of Rune (US Patent Application Publication No. 2003/0012173). Claims 5, 8, 16, and 19 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hwang and Jokinen in view of Bluetooth specification (XP-002214950). Finally, claims 9 and 21 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hwang and Jokinen in view of Rinchiuso (US Patent Application Publication No. 2002/0090004).

§103(a) Rejections (Hwang/Jokinen) - Claims 1, 2, 4, 6, 7, 12, 13, 15, 17, 18, 20, 21 and 24

The Examiner maintains the same rejections of claims 1, 2, 4, 6, 7, 12, 13, 15, 17, 18, 20, 21 and 24 as set forth in the previous Office Action, and adds a few new arguments in the *Response to Arguments* section of the present Office Action.

With respect to independent claim 6, Applicant submits that neither of the applied references, either alone or in combination, discloses or suggests at least, “obtain a number of transmittable frequency channels of the counterpart wireless communication apparatus that the wireless communication apparatus intends to communicate with by transmitting data to the counterpart wireless communication apparatus through a plurality of frequency channels and determining that the counterpart wireless communication apparatus receives data in the respective channels, and processing to transmit the data through the transmitting portion to the counterpart wireless communication apparatus according to the obtained number of transmittable

frequency channels,” as recited in amended independent claim 6. That is, the applied references, including those discussed below, do not disclose or suggest that the data is first transmitted and a number of transmittable frequency channels are then obtained depending on whether or not the data is received. Applicant submits that independent claims 17 and 24 are patentable at least based on reasons similar to those set forth above with respect to claim 1.

Applicant submits that dependent claims 7, 18, and 20 are patentable at least by virtue of their respective dependencies.

Claims 1, 2, 4, 12, 13, 15, and 21 are canceled, as indicated herein, without prejudice or disclaimer.

§103(a) Rejections (Hwang/ Jokinen / Rune) - Claims 3, 10, 14 and 23

Claims 3, 10, 14 and 23 are canceled, as indicated herein, without prejudice or disclaimer.

§103(a) Rejections (Hwang / Jokinen / Bluetooth Specifications) - Claims 5, 8, 16 and 19

Applicant submits that dependent claims 8 and 19 are patentable at least by virtue of their dependencies from independent claims 6 and 17, respectively. The Bluetooth Specifications fails to make up for the deficiencies of Hwang and Jokinen.

Claims 5 and 16 are canceled, as indicated herein, without prejudice or disclaimer.

§103(a) Rejections (Hwang / Jokinen / Rinchiuso) - Claims 9 and 20

Applicant submits that dependent claims 9 and 20 are patentable at least by virtue of their respective dependencies from claims 6 and 17. Rinchiuso does not make up for the deficiencies of Hwang and Jokinen.

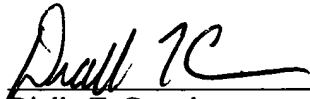
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
U. S. Application No. 10/003,417

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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